

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA, ) CRIM. NO. 04-30046-300  
 )  
 vs. )  
 )  
 ALBERT INNARELLI, ET AL., )  
 )  
 Defendants. )

FILED  
IN CLERK'S OFFICE  
DISTRICT OF MASSACHUSETTS  
APR 13 2005  
A 8 11

PARTIES' JOINT MEMORANDUM PURSUANT TO LOCAL RULE 116.5(A)

The United States of America, by and through Michael J. Sullivan, United States Attorney for the District of Massachusetts, and William M. Welch II, Assistant United States Attorney, hereby files this joint memorandum pursuant to Local Rule 116.5(A) and the Magistrate Judge's Scheduling Order.

1. The parties agree that relief should be granted from the otherwise applicable timing requirements imposed by Local Rule 116.3. This case has been designated a complex case. In addition, the Government and defense counsel have been working out logistics regarding discovery.

2. The Government has produced a complete set of tapes and/or CDs to all of the defendants.

3. At this time, the defendants have not completed their review of all of the automatic discovery. Counsel for defendant Matos has not viewed the loan files and designated what documents

that he wants copied. Several defense counsel have viewed the discovery, have designated what documents they want copied, and are awaiting receipt of those documents from the copy center. Counsel for defendant Changasie is currently awaiting for approval of court funds to copy approximately thirty-three loan files. The Government believes that the discovery requests of all of the remaining defendants have been satisfied.

4. The parties agree that a motion date should not be set under FRCP 12(c) at this time. Until discovery has been copied and reviewed, the parties are not in a position to set any motion dates. The parties anticipate filing motions. The parties agree that the court should set dates for discovery letters and/or discovery motions.

5. Excludable delay should be ordered under 18 U.S.C. § 3161(h)(8)(A) and Local Rule 112.2(A)(1), (2), and (3) from the date of the last status conference, which occurred on February 15, 2005, to the present. As of February 15, 2005, no time had run on the Speedy Trial Clock.

As previously indicated, this case has been designated a complex case. All parties have been attempting to complete the discovery process. Therefore, the court should order that no time has run on the Speedy Trial Clock from the date of the last status conference through April 14, 2005.

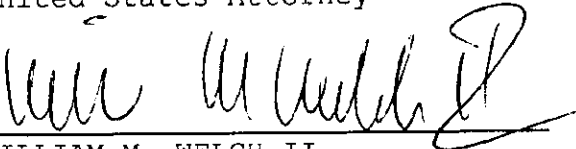
6. The parties believe at this point that a trial should be anticipated. At this time, the Government would estimate a trial of two months.

7. A third Interim Status Conference should be set for mid-June, 2005.

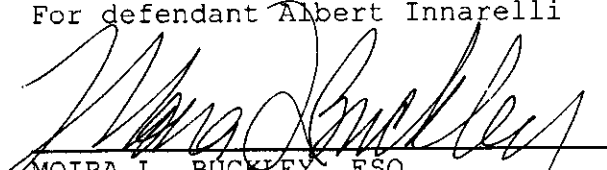
Filed this 13th day of April, 2005.

Respectfully submitted,


MICHAEL J. SULLIVAN  
United States Attorney

  
WILLIAM M. WELCH II  
Assistant United States Attorney

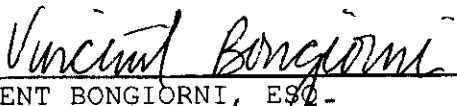
For defendant Albert Innarelli

  
MOIRA L. BUCKLEY, ESQ.  
Counsel for defendant Innarelli

For defendant Michael Bergdoll

  
STEVEN LEARY, ESQ.  
Counsel for defendant Bergdoll

For defendant Anthony Matos:

  
VINCENT BONGIORNI, ESQ.  
Counsel for defendant Matos

For defendant Pasquale Romeo



---


MICHAEL JENNINGS, ESQ.  
Counsel for defendant Romeo

For defendant Wilfred Changasie

---

TERRY NAGEL, ESQ.  
Counsel for defendant Changasie


For defendant Theodore Jarrett



---

MARIA DURANT, ESQ.  
Counsel for defendant Jarrett


For defendant Mark McCarthy



---

ROBERT SANTANIELLO, ESQ.  
Counsel for defendant McCarthy

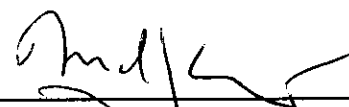
For defendant James Smith



---

JACK ST. CLAIR, ESQ.  
Counsel for defendant Smith

For defendant Jonathan Frederick



---

MARK ALBANO, ESQ.  
Counsel for defendant Frederick

For defendant Joseph Sullivan

A handwritten signature in cursive script, reading "Daniel Kelly". The signature is written in black ink and is positioned above a horizontal line.

DANIEL KELLY, ESQ.  
Counsel for defendant Sullivan

CERTIFICATE OF SERVICE

Hampden, ss.

Springfield, Massachusetts  
April 13, 2005

I, William M. Welch, Assistant U.S. Attorney, do hereby certify that I have served a copy of the foregoing by faxing said motion to:

Moira L. Buckley, Esq.  
Shipman & Goodwin  
One Constitutional Plaza  
Hartford, CT 06103-1919

Steven W. Leary, Esq.  
95 State Street  
Springfield, MA 01103

Vincent A. Bongiorno, Esq.  
95 State Street  
Springfield, MA 01103

Michael O. Jennings, Esq.  
73 Chestnut Street  
Springfield, MA 01105

Terry S. Nagel, Esq.  
95 State Street  
Springfield, MA 01103

Maria Durant, Esq.  
Dwyer & Collora  
600 Atlantic Avenue  
Boston, MA 02210

Robert Santaniello, Jr., Esq.  
Santaniello & Santaniello  
83 State Street  
Springfield, MA 01103

Jack St. Clair, Esq.  
73 Chestnut Street  
Springfield, MA 01103

Mark J. Albano, Esq.  
Dalsey, Ferrara & Albano  
73 State Street  
Springfield, MA 01103

Daniel D. Kelly, Esq.  
Robinson, Donovan, Madden &  
Barry  
1500 Main Street  
P.O. Box 15609  
Springfield, MA 01103

04/11/2005 13:07 FAX 413 785 4658  
04/11/05 11:20 FAX 413 785 0394

ROBINSON DONOVAN, P.C.  
US ATTY'S OFFICE

002  
006/03

For defendant Joseph Sullivan

A handwritten signature in dark ink, appearing to read "Dan J. Kelly", written over a horizontal line.

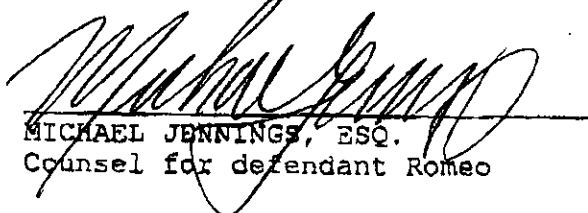
DANIEL KELLY, ESQ.  
Counsel for defendant Sullivan

APR-11-2005 11:28

73 CHESTNUT ST. PART.

1 413 731 1302 P.C.

For defendant Pasquale Romeo



MICHAEL JENNINGS, ESQ.  
Counsel for defendant Romeo

For defendant Wilfred Chngasie

---

TERRY NAGEL, ESQ.

Counsel for defendant Chngasie

For defendant Theodore Jarrett

---

MARIA DURANT, ESQ.

Counsel for defendant Jarrett

For defendant Mark McCarthy

---

ROBERT SANTANIELLO, ESQ.

Counsel for defendant McCarthy

For defendant James Smith

---

JACK ST. CLAIR, ESQ.

Counsel for defendant Smith

For defendant Jonathan Frederick

---

MARK ALBANO, ESQ.

Counsel for defendant Frederick